

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takashi NAKAYAMA et al.

Application No.: 10/518,749

Confirmation No.: 3018

Filed: December 22, 2004

Art Unit: 1632

For: METHOD FOR PRODUCING NEURAL CELL

Examiner: M. K. Sgagias

SUPPLEMENTAL INTERVIEW SUMMARY

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Amendment filed on October 23, 2009, and the Interview Summary therein, Applicants herein provide a Supplemental Interview Summary to address the comments in the Examiner's Interview Summary of October 29, 2009.

During the Interview, Applicants pointed out that the source of the embryonic stem cells (i.e., the maturity of the cells before culture) was considered in the Interview of September 16, 2008. Further a "time element" was suggested by the Examiner in the Advisory Action of September 14, 2008, page 3, lines 12-13.

Thus, the origin of the embryonic stem cells has been considered. Further, the Examiner recommended a "time element", which in the presently pending claims is reflected in the addition of a culture period of the cells. That said, Applicants understand that the Examiner has indicated that the amendments would not be entered.

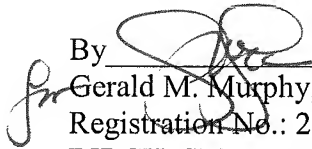
With regard to the Thompson references, those references were provided to show that embryonic stem cells of the claimed invention would have the ability to differentiate into the three primary germ layers. (See Amendment, March 19, 2009, pages 7-8). Applicants maintain that one of skill would have understood from the Specification and the knowledge in the art (as evidenced by the Thompson references) that the cells of the invention could differentiate into the three primary germ layers. However, the point is moot in view of the currently pending claims.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mary M.H. Eliason, Reg. No. 58,303 at (858) 792-8855, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: November 18, 2009

Respectfully submitted,

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